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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Jerry B. Decime

Serial No.: 09/746,365

Filed: December 21, 2000

Group Art Unit: 2152

Examiner: El Hady, Nabil

Docket No. 10002106-1

For: **Method and System for Efficient Routing of Customer and Contact E-Mail Messages**

RESPONSE TO NOTIFICATION OF "NON-COMPLIANT" APPEAL BRIEF

Mail Stop: Appeal Brief-Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

The Notice of Non-Compliant Amendment mailed April 4, 2006 has been carefully considered. Applicant submits this Response to the Notice.

It is not believed that extensions of time or fees are required to consider this Appeal Brief. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required therefor are hereby authorized to be charged to Deposit Account No. 08-2025.

REMARKS

I. Identification of Support for Independent Claims 1, 8, 14, and 18

In the Notice, the Examiner argues that Applicant has not identified support for limitations contained in independent claims 1, 8, 14, and 18. Applicant disagrees and, therefore, has declined to amend the "Summary of Claimed Subject Matter" section of the Brief relative to those claims.

In substance, the Examiner argues that page 7, lines 16-21; page 10, lines 20-24; and Figure 3, items 304 and 306 do not support the concept of a web server being configured to determine the language in which a web site used to create an email message is written. Although Applicant's written description does not verbatim state that the web server determines the language of the "web site", Applicant asserts that Applicant's disclosure would make it clear to a person having ordinary skill in the art that, in essence, the web server *is* determining the language of the web site.

As described by Applicant, a number of different web sites are provided, each being "in a specific language". *Applicant's specification*, page 7, lines 8-10. In addition, as identified in the Appeal Brief, Applicant also describes:

. . . when a user fills out an e-mail form at the organization's web-site, the web server (102a, 102b) will be communicating with the user in a particular language that the user presumably understands and in which the users will presumably draft the e-mail being sent to the organization. An indicator of this language is appended to the e-mail message that is sent to the global box (104) as a meta-tag.

Applicant's specification, page 7, lines 16-21.

From the above excerpt, it is clear that the web server does not determine the language of the email message according to any analysis of the email message itself. Instead, a meta-tag identifying the language in which the web server is “communicating with the user” is appended to the email message under the presumption that the language is the one in which the user will write his or her email message. Clearly, the language that the web server is “communicating with the user” is the language of the web site the web server is serving to the user.

In view of the foregoing, Applicant asserts that the portions of Applicant's disclosure identified in the Brief adequately identify support for the concept of a web server being configured to determine the language in which a web site used to create an email message is written. Although the Examiner may choose to disagree, Applicant notes that the Examiner did not object to the addition of that limitation during prosecution of the patent application. If the Examiner wishes to object now, the Examiner is free to do so by reopening prosecution and objecting to the limitation in a further Non-Final Office Action.

II. Identification of Support for Dependent Claims 16, 17, and 25

The Examiner further states in the Notice that Applicant has not identified support for the “means plus function” limitations of dependent claims 16, 17, and 25. In response, Applicant has amended the Brief to provide explicit indications of support for those limitations in the “Summary of Claimed Subject Matter” section of the Brief. In view of that addition, Applicant asserts that the revised Brief (attached) is proper and complete.

If there are questions about this matter, the undersigned attorney may be contacted at
(770) 933-9500.

Respectfully submitted,

By: 

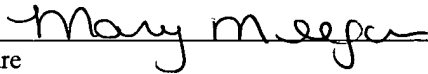
David R. Risley
Registration No. 39,345

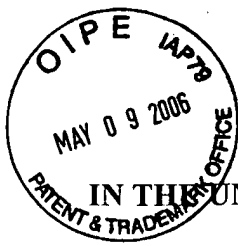
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Jerry B. Decime

Group Art Unit: 2152

Serial No.: 09/746,365

Examiner: El Hady, Nabil

Filed: December 21, 2000

Docket No. 10002106-1

For: **Method and System for Efficient Routing of Customer and Contact E-Mail Messages**

REVISED APPEAL BRIEF UNDER 37 C.F.R. § 41.37

Mail Stop: Appeal Brief-Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

This Revised Appeal Brief under 37 C.F.R. § 41.37 is submitted in support of the Notice of Appeal filed November 14, 2005, responding to the Final Office Action mailed August 12, 2005.

It is not believed that extensions of time or fees are required to consider this Appeal Brief. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required therefor are hereby authorized to be charged to Deposit Account No. 08-2025.

I. Real Party in Interest

The real party in interest is Hewlett-Packard Development Company, LP, a limited partnership established under the laws of the State of Texas and having a principal place of business at 20555 S.H. 249 Houston, TX 77070, U.S.A. (hereinafter "HPDC"). HPDC is a Texas limited partnership and is a wholly-owned affiliate of Hewlett-Packard Company, a Delaware Corporation, headquartered in Palo Alto, CA. The general or managing partner of HPDC is HPQ Holdings, LLC.

II. Related Appeals and Interferences

There are no known related appeals or interferences that will affect or be affected by a decision in this Appeal.

III. Status of Claims

Claims 1-8, 10-14, 16-18, and 20-25 stand finally rejected. No claims have been allowed. The final rejections of claims 1-8, 10-14, 16-18, and 20-25 are appealed.

IV. Status of Amendments

This application was originally filed on December 20, 2000, with twenty-one (21) claims. In a Response filed November 9, 2004, Applicant amended claims 1, 8, and 14, and added new claims 22-25. In a Response filed May 18, 2005, Applicant amended claims 1-8, 10-14, 16-18, and 20-25, and canceled claims 9, 15, and 19.

All of the above-identified amendments have been entered and no other amendments have been made to any of claims 1-8, 10-14, 16-18, and 20-25. The claims in the attached Claims Appendix (see below) reflect the present state of those claims.

V. Summary of Claimed Subject Matter

The claimed inventions are summarized below with reference numerals and references to the written description (“specification”) and drawings. The subject matter described in the following appears in the original disclosure at least where indicated, and may further appear in other places within the original disclosure.

Independent claim 1 describes an e-mail sorting and routing system. The system of claim 1 comprises a web server (102) for providing a web-site at which clients generate e-mail messages to a host organization, the web server being configured to determine the language in which the web-site is written and to append a meta-tag to each e-mail message that identifies that web-site language. Applicant’s specification, page 7, lines 16-21; page 10, lines 20-24; Figure 3, item 304.

The system of claim 1 further comprises a response server (105) configured to sort the e-mail messages by language through reference to the appended meta-tags. Applicant’s specification, page 7, lines 22-27; page 10, lines 25-27; Figure 3, item 306.

Independent claim 8 describes a method for sorting and routing e-mail messages. The method of claim 8 comprises sorting e-mail messages by language by: determining a language in which a web-site that receives the e-mail messages is written, appending a meta-tag to each e-mail message that identifies the web-site language, and sorting the

messages through reference to the language meta-tags. Applicant's specification, page 7, lines 16-27; page 10, lines 20-27; Figure 3, items 304 and 306.

The system of claim 8 further comprises subsequently sorting the e-mail messages by topic by: determining a topic to which each e-mail message applies, appending a meta-tag to each e-mail message that identifies the topic, and sorting the messages through reference to the topic meta-tags. Applicant's specification, page 8, line 20 to page 9, line 3; page 10, lines 20-29; Figure 3, items 304, 306, and 307.

Independent claim 14 describes an e-mail sorting and routing system. The system of claim 14 comprises means (102, 105) for sorting e-mail messages by language by: determining a language in which a web-site that receives the e-mail messages is written, appending a meta-tag to each e-mail message that identifies the web-site language, and sorting the messages through reference to the language meta-tags. Applicant's specification, page 7, lines 16-27; page 10, lines 20-27; Figure 3, items 304 and 306.

The system of claim 14 further comprises means (102, 105) for subsequently sorting the e-mail messages by topic by: determining a topic to which each e-mail message applies, appending a meta-tag to each e-mail message that identifies the topic, and sorting the messages through reference to the topic meta-tags. Applicant's specification, page 8, line 20 to page 9, line 3; page 10, lines 20-29; Figure 3, items 304, 306, and 307.

Independent claim 18 describes computer-readable instructions recorded in a medium for storing computer-readable instructions, the instructions for causing a computer system to sort e-mail messages by language by: determining a language in which a web-site that receives the e-mail messages is written, appending a meta-tag to

each e-mail message that identifies the web-site language, and sorting the messages through reference to the language meta-tags. Applicant's specification, page 7, lines 16-27; page 10, lines 20-27; Figure 3, items 304 and 306.

The system of claim 18 further comprises subsequently, sort the e-mail messages by topic by: determining a topic to which each e-mail message applies, appending a meta-tag to each e-mail message that identifies the topic, and sorting the messages through reference to the topic meta-tags. Applicant's specification, page 8, line 20 to page 9, line 3; page 10, lines 20-29; Figure 3, items 304, 306, and 307.

Dependent claim 16 further recites means for routing each of the e-mail messages to one of a plurality of language-specific mail boxes into which the e-mail messages are sorted according to language. Applicant's specification, page 6, line 27 to page 7, line 1; page 10, lines 20-29; Figure 1, items 105, 110, 111, 112, 113, 114, and 115.

Dependent claim 17 further recites means for routing each of the e-mail messages from one of the language-specific mailboxes to one of a plurality of topic-specific mail boxes into which the e-mail messages are sorted according to topic. Applicant's specification, page 8, line 20 to page 9, line 3; page 10, lines 20-29; Figure 2, items 120-125, 130-135, and 140-145.

Finally, dependent claim 25 further recites that the means for sorting the e-mail messages by language are provided on a first server (105; Figure 1), and wherein the means for subsequently sorting the e-mail messages by topic are provided on a second server (120-125; Figure 2). Applicant's specification, page 7, lines 22-27; page 8, line 29 to page 9, line 3.

VI. Grounds of Rejection to be Reviewed on Appeal

The following grounds of rejection are to be reviewed on appeal:

1. Claims 1-8, 10-14, 16-18, and 20-25 have been rejected under 35 U.S.C. § 112, second paragraph, as “failing to set forth the subject matter which applicant(s) regard as their invention.”

2. Claims 1, 5, 6, 11, 12, 16, 17, 20, and 21-25 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Novell’s Breakthrough Language Identifier, Newbytes (“Newbytes”) or Support your E-Commerce with an E-Center, World Trade v13n7, pp 66-68 (“WorldTrade”) or Talisma Enterprise’s Multiple Language Capabilities Enable Companies to Build Strong Global Customer Relationship, PR Newswire (“Newswire”) in view of either @Once Service Center, Platform to Handle Internet Customer Service, Business Wire (“BusinessWire”) or Mowbray (EP 1024447A2).

3. Claims 2-4, 7, 8, 10, 13, 14, and 18 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Newbytes/ or WorldTrade or/ Newswire in view of BusinessWire or/ Mowbray, and further in view of Ayyadurai (U.S. Pat. No. 6,718,367).

VII. Arguments

The Appellant respectfully submits that Applicant’s claims are neither anticipated under 35 U.S.C. § 102 nor obvious under 35 U.S.C. § 103, and respectfully requests that

the Board of Patent Appeals overturn the final rejections of those claims at least for the reasons discussed below.

Claim Rejections - 35 U.S.C. § 112, Second Paragraph

Claims 1-8, 10-14, 16-18, and 20-25 were rejected in the final Office Action under 35 U.S.C. § 112, second paragraph, as “failing to set forth the subject matter which applicant(s) regard as their invention.” Applicant requested clarification on the rejection as the basis for the rejection was not clear to Applicant.

In the Advisory Action, the Examiner states:

Evidence that claims fail(s) to correspond in scope with that which applicant(s) regard as the invention can be found in the reply of 5/23/2005. In that paper, applicant has stated “applicant’s methods and apparatuses infer the language of received email messages from the language in which the websites that received the emails messages are written”. This statement indicates that the invention is different in scope from what is defined in the claim(s).

Applicant disagrees that Applicant has somehow mischaracterized the claimed inventions. Regardless, Applicant submits that, irrespective of whether the Examiner believes the Applicant has mischaracterized the claimed inventions, such a perceived mischaracterization does not form the basis of a rejection under 35 U.S.C. § 112, second paragraph as to Applicant’s claims. The Examiner may choose to disagree with and even dismiss arguments presented by Applicant, but such a decision does not give rise to a proper rejection under 35 U.S.C. § 112, second paragraph.

As for the alleged omission of “essential elements” from Applicant’s claims, Applicant notes that it is the Applicant’s prerogative as to what limitations to present in the claims. Such claims are proper under 35 U.S.C. § 112, second paragraph as long as the claims are unambiguous and not duplicative. On this point, the Examiner has identified no portions of claims 1-8, 10-14, 16-18, and 20-25 that are believed to be ambiguous and/or duplicative. If the Examiner believes that the claims are too broad, the Examiner may reject the claims under 35 U.S.C. §§ 102 or 103, not 35 U.S.C. § 112, second paragraph.

In view of the above, Applicant asserts that the rejection is improper and should be overturned.

Claim Rejections - 35 U.S.C. § 103(a)

A. Rejection of Claims 1, 5, 6, 11, 12, 16, 17, 20, and 21-25

Claims 1, 5, 6, 11, 12, 16, 17, 20, and 21-25 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Novell’s Breakthrough Language Identifier, Newbytes (“Newbytes”) or Support your E-Commerce with an E-Center, World Trade v13n7, pp 66-68 (“WorldTrade”) or Talisma Enterprise’s Multiple Language Capabilities Enable Companies to Build Strong Global Customer Relationship, PR Newswire (“Newswire”) in view of either @Once Service Center, Platform to Handle Internet Customer Service, Business Wire (“BusinessWire”) or Mowbray (EP 1024447A2). Applicant respectfully traverses this rejection.

As has been acknowledged by the Court of Appeals for the Federal Circuit, the U.S. Patent and Trademark Office (“USPTO”) has the burden under section 103 to establish a *prima facie* case of obviousness by showing some objective teaching in the prior art or

generally available knowledge of one of ordinary skill in the art that would lead that individual to the claimed invention. *See In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596, 1598 (Fed. Cir. 1988). The Manual of Patent Examining Procedure (MPEP) section 2143 discusses the requirements of a *prima facie* case for obviousness. That section provides as follows:

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teaching. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and reasonable expectation of success must be found in the prior art, and not based on applicant's disclosure.

In the present case, the prior art at least does not teach or suggest all of the claim limitations.

1. Newbytes, WorldTrade, and Newswire

As was identified during prosecution of the instant application, each of the Newbytes, WorldTrade, and Newswire references generally disclose systems that are configured to determine a language in which a document, such as an e-mail message, is written through a *language recognition process*. Beginning with the Newbytes reference, disclosed is the following (emphasis added):

Language Identifier is claimed to be the fastest and most accurate engine of its kind, *correctly identifying 15 different languages on the basis of as few as three words*. It speeds the process of filtering information to appropriate people and enhances the productivity of users who compose text in multiple languages. . . .

In Internet and e-mail applications, Language Identifier can rank messages, query hits and attached document according to the user's language preferences. This offers a valuable filter for any Internet/intranet application.

Turning to the WorldTrade reference, disclosed is (emphasis added):

The ability to improve customer service does, however, come with a new set of challenges for businesses. Infrastructures must be developed to handle high volumes of e-customer traffic and ensure that responses are provided quickly and accurately. One method of organizing this traffic is called "e-mail management system" or EMS. *This system uses language recognition to analyze e-mail and route it to the correct agent.*

Finally, the Newswire reference states (emphasis added):

Talisma Enterprise's language-based routing capability quickly and seamlessly recognizes and *routes foreign language e-mail inquiries* directly to customer service representatives (CSRs) who are fluent in those languages.

From the above excerpts, it is clear that none of the Newbytes, WorldTrade, and Newswire articles teach or suggest determining a language in which an e-mail message is written by determining the language of a web-site with which the e-mail message was generated.

2. Applicant's Claims

(a) Claims 1, 5, 6, and 22-23

Applicant's independent claim 1 provides as follows (emphasis added):

1. An e-mail sorting and routing system, the system comprising:

a web server for providing a web-site at which clients generate e-mail messages to a host organization, *the web server being configured to determine the language in which the web-site is written and to append a meta-tag to each e-mail message that identifies that web-site language;* and

a response server *configured to sort the e-mail messages by language through reference to the appended meta-tags.*

Applicant discusses various limitations of claim 1 in the following.

(i) No Teaching of "Web" or "Response" Servers

In the final Office Action, the Examiner states that each of Newbytes, WorldTrade, and Newswire teach "at least one web server for providing a web-site at which clients generate e-mail messages to the host organization; and at least one response server for sorting said e-mail messages by language (see articles in Newsbytes, WorldTrade, and Newswire articles)." Applicant reviewed the above-identified articles and found no teaching of a "web server" at which e-mails can be generated and a separate "response server" that sorts the e-mail messages by language. In the Response of September 22, 2005, Applicant explicitly requested the Examiner to specifically identify by page and line number where such aspects are taught in Newbytes, WorldTrade, and Newswire. Applicant notes

for the record that the Examiner did not respond to Applicant's request in the Advisory Action and has yet to identify explicit teachings of such a web server and separate response server in any of the references.

(ii) No Teaching of Determining the "Language in which the Web-Site is Written" or Sorting e-Mail Messages Through Reference to "Appended Meta-Tags"

Later in the final Office Action, the Examiner states that "Newsbytes/ or WorldTrade/ or Newswire disclose sorting the e-mail messages on the basis of language." While Applicant agrees with this statement, Applicant notes that claim 1 does not merely recite "sorting the e-mail messages on the basis of language." Instead, as is noted above and as was noted on multiple occasions during prosecution of the instant application, Applicant's claim 1 requires determining "the language in which the web-site is written", appending "a meta-tag to each e-mail message that identifies that web-site language", and sorting "the e-mail messages by language through reference to the appended meta-tags". Given that the Examiner does not explain where or how the Newbytes, WorldTrade, or Newswire articles teach or suggest any of those limitations, the rejection clearly fails to state a *prima facie* case of obviousness under 35 U.S.C. § 103(a).

Applicant again notes for the record that the Newbytes, WorldTrade, and Newswire articles do not teach or suggest determining "the language in which the web-site is written", appending "a meta-tag to each e-mail message that identifies that web-site language", or sorting "the e-mail messages by language through reference to the appended meta-tags". Instead, the Newbytes, WorldTrade, and Newswire articles only teach determining a language in which the *e-mail message* is written through a language

recognition process *that is applied to the e-mail message*. Simply stated, this is not was is recited in Applicant's claims.

(b) Claims 11, 12, and 24

As was noted in Applicant's Response to the final Office Action, the rejection of claims 11, 12, and 24 is improper given that the Examiner did not reject independent claim 8, from which claims 11, 12, and 24 depend based only upon the combination of Newsbytes, WorldTrade, Newswire, and Business Wire. In effect, the Examiner has rejected claims 11, 12, and 24 *without* addressing the limitations of their base claim, claim 8. Applicant notes for the record that the Examiner did not address this issue in the Advisory Action. Applicant therefore considers the rejection of claims 11, 12, and 24 to constitute reversible error.

(c) Claims 16, 17, and 25

As was noted in Applicant's Response to the final Office Action, the rejection of claims 16, 17, and 25 is improper given that the Examiner did not reject independent claim 14, from which claims 16, 17, and 25 depend based only upon the combination of Newsbytes, WorldTrade, Newswire, and Business Wire. In effect, the Examiner has rejected claims 16, 17, and 25 *without* addressing the limitations of their base claim, claim 14. Applicant notes for the record that the Examiner did not address this issue in the Advisory Action. Applicant therefore considers the rejection of claims 16, 17, and 25 to constitute reversible error.

(d) Claims 20 and 21

As was noted in Applicant's Response to the final Office Action, the rejection of claims 20 and 21 is improper given that the Examiner did not reject independent claim 18, from which claims 20 and 21 depend based only upon the combination of Newsbytes, WorldTrade, Newswire, and Business Wire. In effect, the Examiner has rejected claims 20 and 21 *without* addressing the limitations of their base claim, claim 18. Applicant notes for the record that the Examiner did not address this issue in the Advisory Action. Applicant therefore considers the rejection of claims 11, 12, and 24 to constitute reversible error.

B. Rejection of Claims 2-4, 7, 8, 10, 13, 14, and 18

Claims 2-4, 7, 8, 10, 13, 14, and 18 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Newbytes/ or WorldTrade or/ Newswire in view of BusinessWire or/ Mowbray, and further in view of Ayyadurai (U.S. Pat. No. 6,718,367). Applicant respectfully traverses this rejection.

1. Claims 2-4 and 7

As is identified above in reference to independent claim 1, the references applied by the Examiner fail to teach or suggest multiple limitations of claim 1. In that the Ayyadurai reference does not remedy those deficiencies, Applicant respectfully submits that claims 2-4 and 7, which depend from claim 1, are allowable for at least the same reasons that claim 1 is allowable.

2. Claims 8, 10, and 14

Independent claim 8 provides as follows (emphasis added):

8. A method for sorting and routing e-mail messages, the method comprising:

sorting e-mail messages by language by: *determining a language in which a web-site that receives the e-mail messages is written, appending a meta-tag to each e-mail message that identifies the web-site language, and sorting the messages through reference to the language meta-tags*; and

subsequently sorting the e-mail messages by topic by: determining a topic to which each e-mail message applies, *appending a meta-tag to each e-mail message that identifies the topic, and sorting the messages through reference to the topic meta-tags*.

Contrary to that alleged by the Examiner, Newbytes, WorldTrade, and Newswire do not teach any of “determining a language in which a web-site that receives the e-mail messages is written”, “appending a meta-tag to each e-mail message that identifies the web-site language”, or “sorting the messages through reference to the language meta-tags”. Applicant refers the Examiner back to the discussion of claim 1. Applicant asserts that Ayyadurai similarly fails to teach or suggest those aspects of Applicant’s claim, and further notes that the Examiner has not stated that Ayyadurai in fact teaches or suggests those aspects. Claim 8 and its dependents are allowable over the cited references for at least those reasons.

As a further matter, none of the applied references teach or suggest “subsequently sorting” an e-mail message including “appending a meta-tag to each e-mail message that identifies the topic”, and “sorting the messages through reference to the topic meta-tags”.

Although Ayyadurai generally teaches in column 4, lines 12-18 (cited by the Examiner) applying tags to e-mail messages containing “relative scores or rankings” for certain properties, Applicant notes that Ayyadurai fails to teach *sorting* e-mail messages using such tags.

3. Claim 14

Independent claim 14 provides as follows (emphasis added):

14. An e-mail sorting and routing system comprising:

means for sorting e-mail messages by language by: *determining a language in which a web-site that receives the e-mail messages is written, appending a meta-tag to each e-mail message that identifies the web-site language, and sorting the messages through reference to the language meta-tags*; and

means for subsequently sorting the e-mail messages by topic by: determining a topic to which each e-mail message applies, *appending a meta-tag to each e-mail message that identifies the topic, and sorting the messages through reference to the topic meta-tags*.

Contrary to that alleged by the Examiner, Newbytes, WorldTrade, and Newswire do not teach any of “determining a language in which a web-site that receives the e-mail messages is written”, “appending a meta-tag to each e-mail message that identifies the web-site language”, or “sorting the messages through reference to the language meta-tags”. Applicant refers the Examiner back to the discussion of claim 1. Applicant asserts that Ayyadurai similarly fails to teach or suggest those aspects of Applicant’s claim, and further notes that the Examiner has not stated that Ayyadurai in fact teaches or suggests

those aspects. Claim 14 and its dependents are allowable over the cited references for at least those reasons.

As a further matter, none of the applied references teach or suggest “subsequently sorting” an e-mail message including “appending a meta-tag to each e-mail message that identifies the topic”, and “sorting the messages through reference to the topic meta-tags”. Although Ayyadurai generally teaches in column 4, lines 12-18 (cited by the Examiner) applying tags to e-mail messages containing “relative scores or rankings” for certain properties, Applicant notes that Ayyadurai fails to teach *sorting* e-mail messages using such tags.

4. Claim 18

Independent claim 18 provides as follows (emphasis added):

18. Computer-readable instructions recorded in a medium for storing computer-readable instructions, the instructions for causing a computer system to:

sort e-mail messages by language by: *determining a language in which a web-site that receives the e-mail messages is written, appending a meta-tag to each e-mail message that identifies the web-site language, and sorting the messages through reference to the language meta-tags;* and

subsequently, sort the e-mail messages by topic by: determining a topic to which each e-mail message applies, *appending a meta-tag to each e-mail message that identifies the topic, and sorting the messages through reference to the topic meta-tags.*

Contrary to that alleged by the Examiner, Newbytes, WorldTrade, and Newswire do not teach any of “determining a language in which a web-site that receives the e-mail messages is written”, “appending a meta-tag to each e-mail message that identifies the web-site language”, or “sorting the messages through reference to the language meta-tags”. Applicant refers the Examiner back to the discussion of claim 1. Applicant asserts that Ayyadurai similarly fails to teach or suggest those aspects of Applicant’s claim, and further notes that the Examiner has not stated that Ayyadurai in fact teaches or suggests those aspects. Claim 18 and its dependents are allowable over the cited references for at least those reasons.

As a further matter, none of the applied references teach or suggest “subsequently sorting” an e-mail message including “appending a meta-tag to each e-mail message that identifies the topic”, and “sorting the messages through reference to the topic meta-tags”. Although Ayyadurai generally teaches in column 4, lines 12-18 (cited by the Examiner) applying tags to e-mail messages containing “relative scores or rankings” for certain properties, Applicant notes that Ayyadurai fails to teach *sorting* e-mail messages using such tags.

C. Summary

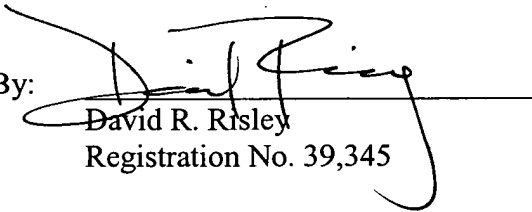
In view of the foregoing, it is clear that a *prima facie* case of obviousness has not been made against Applicant’s claims. Furthermore, none of the applied references teach or suggest all of Applicant’s claim limitations. Moreover, several of the rejections are improper on their face.

VII. Conclusion

In summary, it is Applicant's position that Applicant's claims are patentable over the applied prior art references and that the rejection of these claims should be withdrawn. Appellant therefore respectfully requests that the Board of Appeals overturn the Examiner's rejection and allow Applicant's pending claims.

Respectfully submitted,

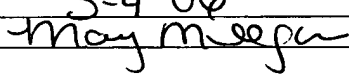
By:

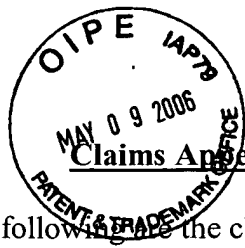

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5-4-06




Claims Appendix under 37 C.F.R. § 41.37(c)(1)(viii)

The following are the claims that are involved in this Appeal.

1. An e-mail sorting and routing system, the system comprising:

a web server for providing a web-site at which clients generate e-mail messages to a host organization, the web server being configured to determine the language in which the web-site is written and to append a meta-tag to each e-mail message that identifies that web-site language; and

a response server configured to sort the e-mail messages by language through reference to the appended meta-tags.
2. The system of claim 1, wherein the web server is further configured to determine a topic to which each e-mail message applies and to append a meta-tag to each e-mail message that identifies that topic, and wherein the response server is further configured to sort the e-mail messages through reference to the topic meta-tags, such that each email message is sorted first by language and then by topic.
3. The system of claim 1, further comprising a global mail box to which all messages generated at the web-site are sent for sorting.
4. The system of claim 3, wherein the global mail box operates according to Post Office Protocol 3.

5. The system of claim 1, further comprising a plurality of language-specific mail boxes into which the e-mail messages are sorted according to language.

6. The system of claim 2, further comprising a plurality of topic-specific mail boxes into which the e-mail messages are sorted according to topic, a set of topic-specific mail boxes being associated with each of a plurality of language-specific mail boxes.

7. The system of claim 6, further comprising a plurality of agent user interfaces, each of which being associated with a topic-specific mail box, wherein a user qualified as to language and topic uses one of the interfaces to access messages in the associated topic-specific mail box.

8. A method for sorting and routing e-mail messages, the method comprising:

sorting e-mail messages by language by: determining a language in which a web-site that receives the e-mail messages is written, appending a meta-tag to each e-mail message that identifies the web-site language, and sorting the messages through reference to the language meta-tags; and

subsequently sorting the e-mail messages by topic by: determining a topic to which each e-mail message applies, appending a meta-tag to each e-mail message that identifies the topic, and sorting the messages through reference to the topic meta-tags.

9. (Canceled)

10. The method of claim 8, further comprising sending all messages generated at the web-site to a global mail box.

11. The method of claim 8, wherein the sorting by language further comprises routing each of the e-mail messages to one of a plurality of language-specific mail boxes into which the e-mail messages are sorted according to language.

12. The method of claim 11, wherein the sorting by topic further comprises routing each of the e-mail messages from one of the language-specific mail boxes to one of a plurality of topic-specific mail boxes into which the e-mail messages are sorted according to topic, each language-specific mail box being associated with a separate corresponding set of topic-specific mail boxes.

13. The method of claim 12, further comprising accessing and responding to the e-mail messages in each of the topic-specific mail boxes.

14. An e-mail sorting and routing system comprising:
means for sorting e-mail messages by language by: determining a language in which a web-site that receives the e-mail messages is written, appending a meta-tag to each e-mail message that identifies the web-site language, and sorting the messages through reference to the language meta-tags; and

means for subsequently sorting the e-mail messages by topic by: determining a topic to which each e-mail message applies, appending a meta-tag to each e-mail message that identifies the topic, and sorting the messages through reference to the topic meta-tags.

15. (Canceled)

16. The system of claim 14, wherein the means for sorting by language further comprise means for routing each of the e-mail messages to one of a plurality of language-specific mail boxes into which the e-mail messages are sorted according to language.

17. The system of claim 16, wherein the means for sorting by topic further comprise means for routing each of the e-mail messages from one of the language-specific mail boxes to one of a plurality of topic-specific mail boxes into which the e-mail messages are sorted according to topic, each language-specific mail box being associated with a separate corresponding set of topic-specific mail boxes.

18. Computer-readable instructions recorded in a medium for storing computer-readable instructions, the instructions for causing a computer system to:

sort e-mail messages by language by: determining a language in which a web-site that receives the e-mail messages is written, appending a meta-tag to each e-mail message

that identifies the web-site language, and sorting the messages through reference to the language meta-tags; and

subsequently, sort the e-mail messages by topic by: determining a topic to which each e-mail message applies, appending a meta-tag to each e-mail message that identifies the topic, and sorting the messages through reference to the topic meta-tags.

19. (Canceled)

20. The instructions of claim 18, wherein the instructions further cause the computer system to route each of the e-mail messages to one of a plurality of language-specific mail boxes into which the e-mail messages are sorted according to language.

21. The instructions of claim 20, wherein the instructions further cause the computer system to route each of the e-mail messages from each of the language specific mail boxes to one of a plurality of topic-specific mail boxes into which the e-mail messages are sorted according to topic, each language-specific mail box being associated with a separate corresponding set of topic-specific mail boxes.

22. The system of claim 1, wherein there is a plurality of web servers, each web server being dedicated to providing a web-site in a different language.

23. The system of claim 2, wherein a first server sorts the e-mail messages by language, and a second server sorts language-sorted e-mail messages by topic.

24. The method of claim 8, wherein sorting the e-mail messages by language is performed by a first server, and wherein subsequently sorting the e-mail messages by topic is performed by a second server.

25. The method of claim 14, wherein the means for sorting the e-mail messages by language are provided on a first server, and wherein the means for subsequently sorting the e-mail messages by topic are provided on a second server.

Evidence Appendix under 37 C.F.R. § 41.37(c)(1)(ix)

There is no extrinsic evidence to be considered in this Appeal. Therefore, no evidence is presented in this Appendix.

Related Proceedings Appendix under 37 C.F.R. § 41.37(c)(1)(x)

There are no related proceedings to be considered in this Appeal. Therefore, no such proceedings are identified in this Appendix.